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BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
MR. SUBMARINE) No. 06-0731
-vs-)
PEOPLES GAS LIGHT AND COKE)
COMPANY and ILLINOIS ENERGY)
SAVINGS CORP., d/b/a U.S. ENERGY)
SAVINGS CORP.,)
Complaint as to billing/charges)
in Chicago, Illinois.)

Chicago, Illinois
December 13, 2006

Met pursuant to notice at 10:00 a.m.

BEFORE:

MS. LESLIE HAYNES, Administrative Law Judge.

APPEARANCES:

MR. AWADALLAH MIZYED,
2900 W. 63rd Street
Chicago IL 60629
pro se;

MR. MARK L. GOLDSTEIN,
108 Wilmot Road, Suite 330
Deerfield, IL 60015
for People Gas;

LOWIS & GELLEN, by
MR. MARTIN W. McMANAMAN
200 W. Adams Street, Suite 1900
Chicago IL 60606
for Illinois Energy Savings Corp.

SULLIVAN REPORTING COMPANY, by
Kerry L. Knapp, CSR,

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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-direct</u>	<u>Re-cross</u>	<u>By Examiner</u>
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None had

<u>Number</u>	<u>E X H I B I T S</u> <u>For Identification</u>	<u>In Evidence</u>
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None marked

1 JUDGE HAYNES: Pursuant to the direction of the
2 Illinois Commerce Commission, I now call Docket
3 06-0731. This is the complaint of Mr. Submarine
4 vs. Peoples Gas Light and Coke Company and, I
5 believe, also U.S. Energy.

6 May I have the appearances for the record,
7 please. Your name and address, please.

8 MR. MIZYED: Awadallah Mizyed, 2900 West 63rd
9 Street, Chicago, Illinois 60629.

10 JUDGE HAYNES: Could you spell your name for the
11 court reporter.

12 MR. MIZYED: A-w-a-d-a-l-l-a-h M-i-z-y-e-d.

13 MR. McMANAMAN: Martin McMananan,
14 M-c-M-a-n-a-m-a-n, Lowis & Gellen, LLP, on behalf of
15 U.S. Energy.

16 MR. GOLDSTEIN: On behalf the Peoples Gas Light
17 and Coke Company, Mark L. Goldstein, 108 Wilmot Road,
18 Suite 330, Deerfield, Illinois 60015. My telephone
19 number is (847)580-5480.

20 I have with me today Zenetra Weatherall --
21 that's Z-e-n-e-t-r-a W-e-a-t-h-e-r-a-l-l -- from
22 Peoples Gas.

1 JUDGE HAYNES: Okay.

2 My first concern in looking at this
3 complaint is that this is a business. And,
4 generally, we require that businesses be represented
5 by an attorney. It won't be an issue today. Today
6 will just be a status hearing where we'll talk about
7 how this matter will proceed.

8 But I think that if this matter is going to
9 go forward, you will need to be represented.

10 MR. MIZYED: I do have representation. He is
11 working on it right now. But since you said this is
12 just a prehearing, I decided to come by myself.

13 JUDGE HAYNES: That's fine.

14 MR. MIZYED: It's Howard & Howard. That's the
15 one that's going to be probably representing me.

16 JUDGE HAYNES: Okay. Sounds good.

17 MR. MIZYED: His name is William Shea.

18 JUDGE HAYNES: Okay. Generally, I like to give
19 parties an opportunity to use the room and talk about
20 the case and, if it's possible, to settle it. Have
21 the parties at all had an opportunity to discuss
22 this?

1 MR. GOLDSTEIN: No. But, Judge, I would point
2 out, you know, I think that any settlement that would
3 have to occur would have to be between Illinois
4 Energy and Mr. Submarine.

5 As far as I'm concerned, based upon reading
6 the complaint and the information provided by
7 Illinois Energy, which was also provided to
8 your Honor, I assume --

9 JUDGE HAYNES: I haven't seen it. Was it filed
10 on E-Docket?

11 MR. McMANAMAN: You didn't receive a
12 hand-delivery, your Honor?

13 JUDGE HAYNES: No.

14 MR. GOLDSTEIN: Based upon that information,
15 Judge, it's plain from the face of the complaint and
16 the information provided by Illinois Energy that
17 whatever the dispute is, it is between Mr. Submarine
18 and Illinois Energy and not with Peoples Gas.

19 Therefore, for the record, I am making an
20 interim motion to dismiss the Peoples Gas Light and
21 Coke Company out of this proceeding.

22 I do not believe that the Commission in any

1 event could enter an order in this matter which would
2 have any effect upon the service provided to
3 Mr. Submarine by Peoples Gas.

4 JUDGE HAYNES: By Peoples Gas?

5 MR. GOLDSTEIN: Yes. We were the transportation
6 company for Mr. Submarine. Illinois Energy is the
7 supplier.

8 MR. McMANAMAN: Judge, if I could try to shed
9 some light on that?

10 JUDGE HAYNES: Sure.

11 MR. McMANAMAN: Obviously, U.S. Energy disagrees
12 to a certain extent. I'm not exactly sure the entire
13 basis of the complainant's claim here, but I think
14 that part of it is that there was no contract with
15 U.S. Energy. Obviously, U.S. Energy, and U.S. Energy
16 alone, responds to that part of it.

17 I think there's also, though, an issue with
18 respect to the amount of billing that's occurred over
19 some period of time. While U.S. Energy is the gas
20 supplier, if there is some discrepancy about the
21 amount of usage, U.S. Energy has no say one way or
22 the other over that. That's going to be entirely in

1 Peoples Gas' court.

2 MR. GOLDSTEIN: I think it's plain from the face
3 of the complaint, Judge, that whatever the dispute
4 is, it relates to whether or not Mr. Submarine or
5 anyone representing Mr. Submarine entered into an
6 agreement with Illinois Energy as Mr. Submarine's
7 energy supplier.

8 MR. MIZYED: I dispute that. I never entered no
9 contract with Peoples Energy. I was with Peoples
10 Energy ever since I bought the establishment. And,
11 to my knowledge, I never signed a contract with U.S.
12 Energy, but I was being charged on my bill for them
13 to be my supplier when I caught on because Peoples
14 Energy was the ones sending me the bill.

15 I wouldn't know any difference because it's
16 the same bill. The only thing, there would be a
17 small line indicating that I have a supplier, a new
18 supplier. And I have a contract with them saying
19 it's U.S. Energy.

20 When I tried to dispute this problem between
21 Peoples Energy and U.S. Energy, no one wanted to hear
22 it. They kept on giving me the run-around. Every

1 time I tried to speak to a supervisor, no one would
2 contact me regarding my therms, regarding this
3 problem with this contract, regarding anything.

4 I suggested a lot of things that could be
5 going wrong with the pipeline, with the gas itself.
6 I specifically asked numerous times for them to come
7 out and check it out, maybe there's a gas leak, which
8 not one person from Peoples Energy called me or came
9 out to check it out.

10 So until this day, I still don't have no one
11 coming out to my establishment to figure out what's
12 going on, why is my therms going so high. I have
13 one month where they charged me 1600 therms. And
14 it's the peak of -- of the summer. And I don't
15 understand exactly what was going on.

16 And, like I said, I tried to speak to both
17 of them. They gave me the run-around. That's the
18 reason why I submitted a complaint to the Illinois
19 Commerce Commission. From here, that's the reason
20 why we're here right now.

21 MR. GOLDSTEIN: Well, just reading the very face
22 of the complaint, Judge, there is no allegation in

1 the complaint about being overcharged for the number
2 of therms used.

3 JUDGE HAYNES: Therms and additional fees, No. 1.

4 MR. GOLDSTEIN: Well -- but the fees that he's
5 talking about are transportation fees that are part
6 of any bill that goes out to a customer.

7 JUDGE HAYNES: And --

8 MR. GOLDSTEIN: And since he did not even provide
9 a copy of any of the bills that he's complaining
10 about, at the very least, I would then make a motion
11 to strike the complaint.

12 MR. MIZYED: I had specifically called Peoples
13 Energy explaining to them that I would fax them over
14 previous bills from previous years for previous
15 months. And, like I said, not one supervisor from
16 Peoples Energy or U.S. Energy accepted my offer to
17 try to settle this, to resolve this problem and for
18 me to fax to show what kind of therms I was using
19 from previous years.

20 My place of business has been there for 33
21 years. And the old owner was with Peoples Energy.
22 And it states how much therms he was using. It

1 states how much therms I was using. And, like I
2 said, it was just outrageous. This year, it was
3 very, very outrageous, especially when they decided
4 to play around with my meter by attaching some gadget
5 to make it easier for them where they used to come in
6 and read it --

7 JUDGE HAYNES: A remote reading device?

8 MR. MIZYED: Yes. They used to come in and read
9 it once a month to get an accurate reading. Now they
10 don't come in at all. Like I said, they don't even
11 respond to a gas leak when I mentioned for them to
12 come out so I can get someone to come out. No one
13 responded.

14 MR. GOLDSTEIN: But, Mr. Mizyed, you did speak to
15 Ms. Weatherall, did you not?

16 MR. MIZYED: Yes, I did. I spoke to her two days
17 before this hearing. And she even sent me a fax
18 stating that U.S. Energy had made a settlement.
19 There was an article in the Harold Times, I believe,
20 and -- to inform me that they had made a settlement.

21 And, like I said, Peoples Energy had made a
22 settlement previous, I believe, a year before where

1 they were being sued by the consumer, the public,
2 about usage of gas and the therms that they were
3 being cheated by, and they had made a settlement.

4 So it's not a one-thing issue. It's been
5 happening before and after and it might still go on.
6 I take a stand, not just for me, but every other
7 store owner and for every other residential person
8 that lives in my area or in Illinois itself, that
9 these big businesses can't come in and just take
10 advantage of us small business owners.

11 JUDGE HAYNES: Mr. Goldstein, I'd have to say
12 that I don't think that, from the face of the
13 complaint, it is as obvious that -- as you seem to
14 think, that Peoples Gas is not properly here to
15 respond to this complaint.

16 And he clearly has a disagreement with the
17 therms and he mentions the bills -- billing period.
18 So I'm going to have to deny your motion to dismiss
19 Peoples Gas or Peoples Energy.

20 And I believe your alternative was that you
21 wanted him to supply you with bills or --

22 MR. GOLDSTEIN: No. I would like to have the

1 complaint stricken. It's -- I don't believe it
2 states the cause of action against Peoples Gas.

3 And since Mr. Mizyed has, I assume, retained
4 an attorney --

5 MR. MIZYED: I haven't done so yet.

6 MR. GOLDSTEIN: -- whom I happen to know --

7 MR. MIZYED: He called me up and I sent him all
8 the bills. I faxed him over all the bills and stuff.
9 So, like I said, it's -- there's -- we could resolve
10 this problem. The faster, the better. But if --
11 like I said, one of the major things that I'm having
12 is no one is responding to me.

13 Like I said, if there is a gas leak in my
14 business, that's considerably a hazardous problem
15 that can cause a lot of injury if it explodes, if it
16 destroys my business.

17 Like I said, Peoples Energy has not come
18 through to even inspect. And if I have to go further
19 on with this hearing for them to come out to inspect,
20 to see what's going on, why is my therms being
21 charged so high, and if there is a gas leak, for them
22 to repair it and fix it because that is their

1 responsibility because it's like a dangerous --
2 people -- I got customers that come in every single
3 day.

4 Once in a while, employees tend to say that
5 they smell gas. We tried to figure out what's going
6 on, if it's coming from the store, if it's coming
7 from the streets. We don't know. But it's happening
8 and we would like to know what exactly they did in my
9 basement when they hooked up this gadget that they --
10 so they can read the meter the right way.

11 MR. GOLDSTEIN: Judge, Mr. Mizyed is alleging
12 things that are certainly not part of this complaint.
13 I would also point out that if there is any leak, the
14 leak would be on the customer's side of the meter and
15 it would be Mr. Mizyed's responsibility to repair
16 that leak if, in fact, it exists.

17 I guess for this morning, we would be happy
18 to go through the bills with Mr. Mizyed and show him
19 that, perhaps, he may be mistaken with respect to the
20 amount of gas flowing through the meter.

21 JUDGE HAYNES: I'd have to say that rather
22 than -- I think that's a good idea, that you sit down

1 and talk about the bills. And I agree that some of
2 the issues raised are not in your complaint here.

3 And because you've indicated that you are in
4 the process of retaining an attorney, and that will
5 be necessary to go forward, I think that you should
6 talk to your attorney and -- you know, complaints can
7 be amended here if, after talking to your attorney,
8 you decide that's necessary.

9 And rather than getting into anything else
10 today, I think we should continue it. Next time,
11 have your attorney. So we should pick a date.

12 MR. MIZYED: That's fine with me. I'm just
13 saying that, you know, someone should come out. And
14 hopefully we can have someone from them to come out
15 and inspect because this started ever since they --
16 which was this year, where they decided to do some
17 adjustment to the meter. Before it wasn't happening.
18 Now it's happening.

19 So I'm just giving a possibility that it
20 might be a leak. I'm not saying there is a leak. I
21 don't know what to do for me to inspect to see if
22 there's any leakage inside the meter or through the

1 pipeline that's leading into my building.

2 I'm not the owner of the building, but I'm
3 just the owner of the business. And, like I said, I
4 don't work for Peoples Energy for me to inspect gas
5 leaks and stuff. I know that by me owning a house,
6 that usually when I have a problem with my gas, they
7 automatically -- when I call them up, Nicor or
8 whatever, they'll come out right away and make sure
9 there's no gas leaks. They make sure that everything
10 is okay because they don't want to cause any problems
11 for me, for my health and for my kids or for anyone
12 that's living with me.

13 I think that's why I'm stating it right now.
14 If I didn't mention it before, which I did, I made
15 suggestions to them for them to come out so they can
16 inspect, but no one responded. And I think that's
17 poor judgment by them; where someone is telling them
18 there is a gas leak, they should -- even if I'm
19 telling them it's a possibility, they still should
20 have the decency to try to come out and see what's
21 going on. And they haven't done that.

22 JUDGE HAYNES: Okay.

1 MR. MIZYED: And -- I'm sorry. And U.S. Energy,
2 when I would talk to Peoples Energy, Peoples Energy
3 would tell me it's U.S. Energy's problem, not ours.
4 They would just say, We're the delivery people.
5 That's all we do for you.

6 When I would call U.S. Energy, they said, We
7 don't do anything, we just supply you with the gas.
8 Then they would say we get the readings from Peoples
9 Energy. They would do everything. Even your billing
10 would come through Peoples Energy. They would take
11 care of all these meetings.

12 So it was a run-around between them. There
13 was no compassion or any help from either of them.
14 Finally, when I looked over it and over it and I told
15 them, I don't have a contract with you guys, show me
16 some proof of that. My signature -- my license is
17 with you guys. And I will be willing to pay or work
18 out something with you.

19 They had no proof of that matter. They had
20 some agent come in the middle of the night and deal
21 with one of my younger cousins, which is -- he is
22 under the age of 17 and had him sign a piece of

1 paper, which is not even his name.

2 He was just terrified because someone was
3 coming with a badge or a picture ID telling him that
4 he's from the gas company. He was worried, he
5 panicked, and he thought he was signing saying that
6 they did appear and come to the store. That's all
7 that he did. Like I said, it was poor judgment by
8 him.

9 But I stated before to my attorney, the one
10 that's going to represent me hopefully, that I will
11 get a letter stating that -- how old the kid is from
12 my aunt when they were visiting and the purpose why
13 he was there.

14 JUDGE HAYNES: Okay.

15 MR. McMANAMAN: Judge, just for the record,
16 obviously, U.S. Energy disagrees, you know, with that
17 characterization of events entirely. You know, the
18 contract was signed. There is a customer service
19 call that's made at the time of the contract signing.
20 And then there's also a customer service call made by
21 another manager of Mr. Mizyed in November 2005
22 asking -- and a copy of the transcript of that call

1 has been tendered to your Honor and to Mr. Mizyed.

2 I have an electronic -- or an audio
3 recording of that call as well that I'm happy to
4 share with the parties and the Commission. But that
5 call shows very clearly that the business
6 acknowledged that the contract was entered and
7 expected it to be implemented already as of November
8 2005 and was wondering why it hadn't been
9 implemented.

10 So there was no -- you know, to -- you know,
11 this statement today that there was no contract
12 entered or that it was entered incompetently is
13 entirely inconsistent with the prior contract with
14 Mr. Submarine.

15 JUDGE HAYNES: Okay.

16 MR. MIZYED: I just want to state one thing. It
17 was my brother. He made a delivery. He came back
18 when this thing already happened and he already had
19 signed the paper. So he -- the agent that was
20 working for U.S. Energy, he was explaining everything
21 after my cousin had signed it to my brother.

22 And my brother, since it was a matter that

1 wasn't a big issue and he didn't get a chance to read
2 everything, true enough he did -- they did call to
3 confirm that there is some type of contract between
4 Mr. Submarine and U.S. Energy, the signing on that
5 day with my brother.

6 But my brother had no authority to change
7 anything without my knowledge in the middle of the
8 night, 8:00, 7:00 at night. He has no authority. He
9 is just an employee of Mr. Submarine. I have to make
10 the contract binding by me, not by anyone else.

11 JUDGE HAYNES: This is an issue we can explore if
12 we go to evidentiary hearing.

13 MR. MIZYED: They already cancelled -- they knew
14 they were in violation of that because they didn't
15 have my signature, my authority to say it's okay for
16 him to sign me. They released me of that contract.
17 I have papers stating that they released me and -- to
18 try to resolve the problem as fast as they can
19 resolve it because they knew that they were in the
20 wrong. That's all I wanted to state right now.

21 JUDGE HAYNES: Okay. So do you think that you
22 will have an attorney within -- by the middle of

1 January?

2 MR. MIZYED: Hopefully, yes.

3 MR. GOLDSTEIN: Judge, I'll be on vacation.

4 JUDGE HAYNES: End of January?

5 MR. GOLDSTEIN: Sure. I would ask that the next
6 hearing be an evidentiary hearing based upon my
7 experience with Mr. Shea who is the attorney that I
8 believe you are going to retain. And be prepared for
9 at least an all-day hearing.

10 JUDGE HAYNES: Be prepared for at least a what?

11 MR. GOLDSTEIN: An all-day hearing. Judge, I
12 have two other matters involving Peoples Gas where
13 Mr. Shea is representing complainants. And that's
14 the modus operandi. I'm just forewarning you that
15 this matter has to be set for an all-day hearing --
16 at least an all-day hearing.

17 JUDGE HAYNES: I'm not familiar with Mr. Shea.
18 And I will give him an opportunity to appear here for
19 a status and also to take his -- keep his scheduling
20 in mind. And I think that a status hearing next
21 would be appropriate.

22 However, if things all go smoothly, there's

1 no reason we can't schedule an evidentiary hearing
2 soon, if parties are unable to settle.

3 MR. GOLDSTEIN: As far as we're concerned, Judge,
4 gas passed through the meter. What happened after
5 that, we don't know. Mr. Submarine is not paying its
6 gas bills and that's where we're at.

7 MR. MIZYED: That's the reason we haven't paid.
8 We were paying. Then the Illinois Commerce
9 Commission, Mr. Franklin Johnson, informed me to stop
10 paying -- stop making payments until we get this
11 matter -- for me to get an accurate reading for my
12 therms, for my accurate bill.

13 I was paying, I think it was, two months
14 ago. Then I stopped because the Illinois Commerce
15 Commission told me to stop. And they told me that
16 you don't have to worry about them turning off gas
17 because of the simple fact you have a formal
18 complaint about them. And until this matter is done,
19 where -- their money is there, but I just don't know
20 what my bill is. I can't pay something that I don't
21 owe.

22 And that's what I explained to Mr. Franklin

1 Johnson. And he told me to -- not to worry about it,
2 you will get your hearing. And after the hearing,
3 you will resolve whatever needs to be resolved.

4 JUDGE HAYNES: I believe that actually you only
5 don't have to pay the amounts that are in dispute.
6 But you need to remain current on your current bills.

7 MR. MIZYED: It's not been current. It's -- last
8 month, I got a bill for 484 therms or 384 therms.

9 JUDGE HAYNES: Your complaint is through
10 November 2006. So any charges after that are not
11 in -- necessarily in dispute. However, I understand
12 that you're still disputing your therm amounts.

13 MR. MIZYED: 2006 of November, which is last
14 month.

15 JUDGE HAYNES: I think you should probably run
16 the not-paying-your-bill thing past your attorney
17 because --

18 MR. MIZYED: No, but this is from 2005 to 2006
19 when I made the complaint. That's the months that
20 I've been complaining about. It hasn't been accurate
21 from September, whenever they put that gadget -- or
22 whenever U.S. Energy got involved. It hasn't been

1 current. My bill hasn't been the same.

2 That's -- I think I did write it down on my
3 complaint. It's from September through November
4 of 2006. So that's -- we're talking about the whole
5 entire -- considerably the whole entire year of 2006
6 because 2005 and 2004, my bills were all paid. And I
7 did pay the first month of September and I did pay
8 the first month of October and stuff.

9 JUDGE HAYNES: I'm just recommending that you ask
10 your attorney. Perhaps, if you want to rephrase your
11 complaint to not limit it to that time frame.

12 MR. GOLDSTEIN: There are your bills.

13 JUDGE HAYNES: And, perhaps, to get some legal
14 advice on not paying your bill.

15 So end of January?

16 MR. McMANAMAN: Yeah. Did you have a particular
17 date in mind, your Honor?

18 JUDGE HAYNES: Well, Mr. Goldstein, you're on
19 vacation at some point in January.

20 MR. GOLDSTEIN: How about January 30th, 31st, one
21 of those days?

22 JUDGE HAYNES: That's fine with me. Is either

1 better for --

2 MR. McMANAMAN: Either one is fine with me.

3 JUDGE HAYNES: Mr. Mizyed, the 30th or the 31st
4 of January, does it matter?

5 MR. MIZYED: That's fine with me. This is only
6 from 11 of 2005 to the end of 2006. I have my bills
7 from 2004.

8 MR. GOLDSTEIN: Those bills are not in question,
9 Mr. Mizyed.

10 MR. MIZYED: I know that, but --

11 MR. GOLDSTEIN: If you go through the bills
12 that --

13 MR. MIZYED: I'm going -- I know --

14 MR. GOLDSTEIN: -- we've provided you -- you want
15 to give me a chance to speak? You've been speaking a
16 lot this morning.

17 MR. MIZYED: I have to. I have to defend my
18 business. I have to defend myself. You're a
19 big-time lawyer. I'm just a consumer.

20 MR. GOLDSTEIN: Right. If you go through the
21 bills, Mr. Mizyed, you'll see that there were many
22 adjustments made to your bill. And, you know, as far

1 as I'm concerned, at the moment, your complaint
2 against Peoples Gas is totally and completely
3 unfounded.

4 And by retaining a Peoria law firm to
5 represent you, you know, you can do whatever you
6 want, but you better be prepared to pay for it.

7 MR. MIZYED: Okay. What I was trying to explain
8 is from 2004, I am comparing my 2004 bills to my 2005
9 to my 2006 just to see how the flow of the years went
10 and how much am I being charged.

11 JUDGE HAYNES: So would you like prior -- copies
12 of prior bills from the company?

13 MR. MIZYED: I have all my bills except for two
14 specific months in 2006, which they never sent me.
15 Peoples Energy never sent me my bills. They have
16 recordings --

17 JUDGE HAYNES: In 2006?

18 MR. MIZYED: In 2006.

19 JUDGE HAYNES: So, hopefully, those are in that
20 pile.

21 MR. MIZYED: Yeah. I had requested them previous
22 times when I wouldn't receive my bill. A month would

1 go by. Call them up say, Hello, I haven't received
2 my bill for March. Can I get my bill, please? I
3 don't know.

4 Are you guys skipping a month? In my
5 residential area, which is Nicor, I believe in the
6 summer or -- I'm just suggesting that that's what
7 they're doing, where they skip a month and they're
8 doing it every two billing cycles where they're
9 sending me out my statement.

10 So I assume that's what Peoples Energy was
11 doing, which they weren't doing that. And then I
12 don't have two months of -- from 2006.

13 JUDGE HAYNES: Okay. Okay.

14 MR. MIZYED: So they're not even accurate on the
15 billings.

16 JUDGE HAYNES: If you don't have anything --
17 documents that you think you might need, you're free
18 to get those. Ask for them from Mr. Goldstein. And
19 Mr. Goldstein may want copies of stuff from you or
20 Mr. McManaman.

21 MR. GOLDSTEIN: The March bill 2006 is in the
22 package I gave him, Judge.

1 MR. MIZYED: I was just suggesting that one of
2 the months I mentioned of March --

3 MR. GOLDSTEIN: You're just talking off the top
4 of your head instead of actual facts.

5 JUDGE HAYNES: Okay, Mr. Goldstein.

6 MR. MIZYED: I don't have it. I don't have it.

7 MR. GOLDSTEIN: This is just a lot of
8 conversation.

9 JUDGE HAYNES: And so we're going to continue
10 this until January 30th at 10:00 a.m.

11 (Whereupon, the above
12 entitled proceedings were
13 continued to January 30,
14 2007, at 10:00 a.m.)

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